

## Message Text

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67

ACTION ARA-20

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

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TRSE-00 XMB-07 OPIC-12 CIEP-02 LAB-06 SIL-01 OMB-01

INT-08 SCEM-02 SCI-06 DRC-01 JUSE-00 /210 W

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R 232159Z NOV 73

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 7860

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EO 11652: N/A

TAGS: PFOR, CPRS, PE

SUBJECT: IPC CASE--ESPINOZA AND ELEJALDE

1. ON NOV. 20, FOURTH CRIMINAL COURT, WHICH IS TRYING SUBJECT DEFENDANTS IN ABSENTIA ON "MISSING PAGE 11" CASE, NAMED FRANCISCO LA ROSA SANCHEZ AND LIDIA VEGA AS COURT-APPOINTED LAWYERS TO DEFEND ESPINOZA AND ELEJALDE. COURT'S ACTION REMOVES JOSE MERINO REYNA AND AUGUSTO VARGAS PRADA WHO HAVE ACTED AS COUNSEL RESPECTIVELY FOR ESPINOZA AND ELEJALDE SINCE 1968.

2. RULING RESULTED FROM TECHNICAL MOTION FILED BY ATTORNEY GENERAL WHO POINTED TO FACT THAT LAW REQUIRES ABSENTEE DEFENDANTS BE REPRESENTED BY COUNSEL APPOINTED BY LIMA SUPERIOR COURT DURING PRESENT JUDICIAL YEAR.

3. HOWEVER, LAWYERS MERINO AND VARGAS PRADA HAVE APPEALED RULING WHICH NOW MUST BE REVIEWED BY PENAL CHAMBER OF SUPREME COURT.

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4. COMMENT: IN LIGHT OF RECENT PRESSURES BROUGHT  
BY GOVERNMENT (THROUGH NATIONAL COUNCIL OF JUSTICE)  
ON SUPREME COURT, THERE IS LITTLE DOUBT IN LEGAL  
COMMUNITY THAT FOURTH CRIMINAL COURT'S RULING WILL  
BE SUSTAINED.  
BELCHER

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NNN

## Message Attributes

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**Current Classification:** UNCLASSIFIED  
**Concepts:** EXTRADITION, TRIALS  
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**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005